

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF WEST VIRGINIA  
MARTINSBURG**

**UNITED STATES OF AMERICA,**

v.

**Criminal Action No. 3:21-CR-49-002  
(GROH)**

**DIANA TOEBBE,**

Defendant.

**UNITED STATES' NOTICE OF THIRD RULE 16 DISCLOSURE**

Now comes the United States of America and William Ihlenfeld, United States Attorney for the Northern District of West Virginia, by Jarod J. Douglas, Assistant United States Attorney for said District, and hereby provides notice of disclosure to defense counsel of its Third Rule 16 disclosure. The disclosure is comprised of an Eclipse database of records bates numbered 246143 through 247261 and an external hard drive containing video files, which are being provided outside of the Eclipse database.

Respectfully submitted,

**WILLIAM IHLENFELD  
UNITED STATES ATTORNEY**

By: /s/ Jarod J. Douglas  
Jarod J. Douglas  
Assistant U. S. Attorney

**CERTIFICATE OF SERVICE**

I, Jarod J. Douglas, Assistant United States Attorney for the Northern District of West Virginia, hereby certify that on the 15th day of February 2022, the foregoing UNITED STATES' NOTICE OF THIRD RULE 16 DISCLOSURE was electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Edward B. MacMahon, Jr., Esq.  
107 E. Washington Street  
Middleburg, VA 20117  
*Counsel for Defendant Diana Toebbe*

Barry P. Beck, Esq.  
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308 W. Burke Street  
Martinsburg, WV 25401  
*Counsel for Defendant Diana Toebbe*

I hereby certify further that on the 15th day of February 2022, the Eclipse database component of the United States' Third Rule 16 disclosure was uploaded to a USAfx folder, which was subsequently identified to defense counsel for download, and I invited defense counsel to retrieve the external hard drive containing the video files from the U.S. Attorney's Office in Martinsburg, West Virginia.

WILLIAM IHLENFELD  
UNITED STATES ATTORNEY

By: /s/Jarod J. Douglas  
Jarod J. Douglas  
Assistant U. S. Attorney